

217B.193 Notice of noncompliance -- Civil penalty assessment and development of schedule.

- (1) If any of the requirements of this chapter or administrative regulations promulgated under this chapter have not been complied with, the Commissioner shall cause a notice of violation to be issued. The Commissioner may issue an order for immediate compliance and assess the civil penalty provided for in this section and in KRS 217B.990, or the Commissioner may set forth in his notice a reasonable time period, but not more than ninety (90) days, for the abatement of the violation. If any licensee or registration holder has not abated the violation within the period of time prescribed in the notice of violation, the Commissioner shall issue an order for immediate compliance and assess the civil penalty provided for in this section and in KRS 217B.990. The notice of noncompliance shall be mailed to the licensee or registration holder by certified mail, return receipt requested, addressed to the permanent address as shown on department records. The notice of noncompliance shall specify in what respect the licensee or registration holder has failed to comply with this chapter or administrative regulations promulgated under this chapter. If the licensee or registration holder has not complied with the requirements set forth in the notice of noncompliance within the time limit allowed, the license or registration may be revoked as provided in this chapter.
- (2) The Commissioner shall develop a method for calculating the civil penalty for a violation, or failure to abate a violation, within the prescribed time period as authorized by this section, and he shall promulgate a schedule of the civil penalties in an administrative regulation.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 172, sec. 20, effective July 14, 2000. -- Created 1992 Ky. Acts ch. 250, sec. 2, effective July 14, 1992.